

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q67780

Kazuhiro HAYASHI, et al.

Appln. No.: 10/017,394

Group Art Unit: 2445

Confirmation No.: 6473

Examiner: Jeffrey R. SWEARINGEN

Filed: December 18, 2001

For: SERVER, SERVER PROCESSING METHOD, TERMINAL, TERMINAL PROCESSING METHOD, INFORMATION PROCESSING SYSTEM, AND INFORMATION RECORD MEDIUM

STATEMENT OF SUBSTANCE OF INTERVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please review and enter the following remarks summarizing the interview conducted on

February 9, 2009:

REMARKS

An Examiner's Interview Summary Record (PTO-413) has not been provided to

Applicant.

During the interview, the following was discussed:

1. Brief description of exhibits or demonstration: None.
2. Identification of claims discussed: 29-31.
3. Identification of art discussed: The Tsai reference.
4. Identification of principal proposed amendments: Proposed amending claims to

replace the term "reproduce" with the term "play back".

5. Brief Identification of principal arguments: Discussed the portability of the claimed terminal in contrast to the non-portability of Tsai, and that Tsai fails to disclose "updating a number of plays of each piece of music stored in the portable terminal that is played back, each time said playing back is completed at the portable terminal."

6. Indication of other pertinent matters discussed: None.

7. Results of Interview: Examiner agreed that the proposed amendment would overcome the present § 102 rejection over the Tsai reference.

It is respectfully submitted that the instant STATEMENT OF SUBSTANCE OF INTERVIEW complies with the requirements of 37 C.F.R. §§1.2 and 1.133 and MPEP §713.04.

It is believed that no petition or fee is required. However, if the USPTO deems otherwise, Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,

/John M. Bird/

John M. Bird
46,027

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON DC SUGHRUE/265550

65565
CUSTOMER NUMBER

for John F. Rabena
Registration No. 38,584

Date: April 10, 2009